

Notice of Allowability

Application No.

09/943,091

Examiner

Brian L. Albertalli

Applicant(s)

HAIN, HORST-UDO

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 14 February 2006.
2. ☒ The allowed claim(s) is/are 1-4, 6 and 8-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Arguments

Applicant's arguments, see pages 7-9, filed February 14, 2006, with respect to claims 1, 2, 12, and 13 have been fully considered and are persuasive. The rejections of claims 1, 2, 12, and 13 have been withdrawn.

The previous rejections of claims 1, 2, 12, and 13 relied on Luk 2 (*Inference of Letter-Phoneme Correspondences with Pre-Defined Consonant and Vowel Patterns*) as teaching the claimed limitation of correcting a position-dependent relative frequencies "including a frequency with which at least one grapheme at a specific position within a grapheme group is assigned to at least one phoneme". While Luk 2 generally teaches taking predefined vowel and consonant patterns (grapheme groups) into account when assigning phonemes to grapheme sequences of words, there is no specific teaching or suggestion of using a *frequency* that a grapheme *in a specific position* within a grapheme group is assigned to at least one phoneme. That is, Luk 2 does not teach using the frequency that a specific grapheme in a specific position grapheme group (such as the first position in a grapheme group <ch>, the specific grapheme being <c>) is encountered in a training lexicon, or the like.

Furthermore, Luk 1 and Luk 3 as used in the previous rejections do not teach correcting a position-dependent relative frequencies *including a frequency with which at least one grapheme at a specific position within a grapheme group is assigned to at least one phoneme*, thus the rejections of claims 1, 2, 12, and 13 are withdrawn.

Allowable Subject Matter

Claim 1-4, 6, and 8-13 allowed.

The following is an examiner's statement of reasons for allowance: as indicated above in the "Response to Arguments" section, Luk 1, Luk 2, and Luk 3 do not disclose or suggest the step/means for correcting a position-dependent relative frequencies *including a frequency with which at least one grapheme at a specific position within a grapheme group is assigned to at least one phoneme*, as required by independent claims 1, 2, 12, and 13.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. Albertalli whose telephone number is (571) 272-7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BLA 5/8/06



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